

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 20, 2005

Signature: 

(Thomas A. Miller)

Docket No.: 29985/02-332  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Daniel M Lafontaine et al.

Application No.: 10/616,622

Filed: July 10, 2003

Art Unit: 3731

For: SYSTEM FOR CLOSING AN OPENING IN A  
BODY CAVITY

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE REGARDING POWER OF ATTORNEY**

Commissioner for Patents  
Attention: Ruth N. Cobb  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Ms. Cobb:

In response to your notice of May 13, 2005, enclosed is a Statement under 37 CFR 3.73(b) as requested. Applicants therefore respectfully request that the power of attorney filed on May 2, 2005, and resubmitted herewith be recorded. Should the Examiner have any questions, she is invited to telephone the undersigned.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
312-474-6300

By: 

Thomas A. Miller  
Registration No. 40,091  
Attorney for Applicants

May 20, 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 20, 2005

Signature:

(Thomas A. Miller)

Docket No.: 29985/02-332  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Daniel M Lafontaine et al.

Application No.: 10/616,622

Filed: July 10, 2003

Art Unit: 3731

For: SYSTEM FOR CLOSING AN OPENING IN A  
BODY CAVITY

Examiner: Not Yet Assigned

**STATEMENT UNDER 37 CFR 3.73(b)**

Commissioner for Patents  
Attention: Ruth N. Cobb  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Ms. Cobb:

The above-referenced application was filed on July 10, 2003 with an assignment transferring ownership from the inventor, Daniel M. Lafontaine to the assignee, Scimed Life Systems, Inc. of One Scimed Place, Maple Grove, MN 55311. The assignment was recorded on July 10, 2003 under Reel 014273, Frame 0368 of the U.S. Patent and Trademark Office. A copy of the recorded assignment is attached as Exhibit A.

On January 1, 2005, the assignee, Scimed Life Systems, Inc. merged with its parent company Boston Scientific Scimed, Inc. to form Scimed Life Systems, Inc. Concurrent with that merger, the name of the surviving entity was changed from Scimed Life Systems, Inc. to Boston Scientific Scimed, Inc. A copy of the certificate of merger and name change papers filed with the States of Incorporation (Minnesota) is attached to this statement as Exhibit B.

On April 25, 2005, a power of attorney was filed signed by an officer of Boston Scientific Scimed, Inc. to transfer prosecution responsibility to new attorneys, the undersigned being one of said attorneys. A copy of the power of attorney is re-submitted herewith as Exhibit C.

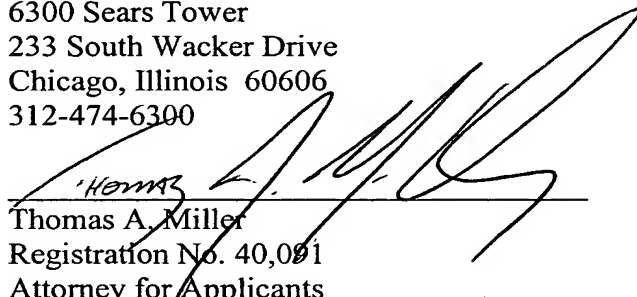
In light of the foregoing, the applicants respectfully submit that the requirements of 37 CFR 3.73 (b) have been satisfied, thus showing that the assignee has been changed from Scimed Life Systems, Inc. to Boston Scientific Scimed, Inc. and that the officer signing of behalf of Boston Scientific Scimed, Inc. in the enclosed power of attorney properly transferred the power of attorney to the listed practitioners. Applicants, thus respectfully request that the present certificate is proper and that the power of attorney should be recorded.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
312-474-6300

By:

  
Thomas A. Miller  
Registration No. 40,091  
Attorney for Applicants

May 20, 2005

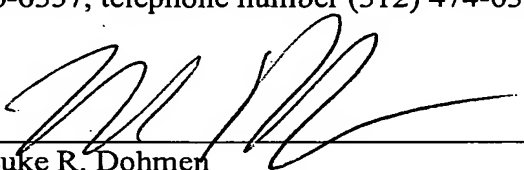


(35,902), Anthony G. Sitko (36,278), Roger A. Heppermann (37,641), David A. Gass (38,153), Gregory C. Mayer (38,238), Michael R. Weiner (38,359), Joseph A. Williams (38,659), Paul C. Craane (38,851), Jeremy R. Kriegel (39,257), Bryan J. Lempia (39,746), David C. Read (39,811), Thomas A. Miller (40,091), William K. Merkel (40,725), Scott E. Baxendale (41,605), Brent E. Matthias (41,974), Sandip H. Patel (43,848), Kevin M. Flowers (44,684), William J. Kramer (46,229), Paul B. Stephens (47,970), and Michael Muczynski (48,642) of Marshall, Gerstein & Borun, LLP, 6300 Sears Tower, 233 South Wacker Drive, Chicago, Illinois 60606-6357.

I have reviewed the Assignment documents, and to the best of assignee's knowledge and belief, title is in the assignee seeking to take action.

Send correspondence and direct telephone calls to: Thomas A. Miller,  
Registration No. 40,091, Marshall, Gerstein & Borun LLP, 6300 Sears Tower, 233 South  
Wacker Drive, Chicago, Illinois 60606-6357, telephone number (312) 474-6300.

By

  
Luke R. Dohmen  
Vice President & Chief Patent Counsel  
Cardiovascular  
Boston Scientific Scimed, Inc.

Date: April 25, 2005